



STATE OF NEW JERSEY

In the Matter of Anis Sadaqa,
Correctional Police Officer (S9999A),
Department of Corrections

**FINAL ADMINISTRATIVE ACTION
OF THE
CIVIL SERVICE COMMISSION**

CSC Docket No. 2022-732

List Removal Appeal

ISSUED: JANUARY 21, 2022 (JET)

Anis Sadaqa appeals the removal of his name from the Correctional Police Officer (S9999A), Department of Corrections, eligible list on the basis of an unsatisfactory driving record.

The appellant took the open competitive examination for Correctional Police Officer (S9999A), achieved a passing score, and was ranked on the subsequent eligible list which promulgated on May 15, 2020. The appellant’s name was certified to the appointing authority on June 8, 2021. In disposing of the certification, the appointing authority requested the removal of the appellant’s name on the basis of an unsatisfactory driving record.¹ Specifically, the appointing authority asserted that between July 2015 and April 2020, the appellant was involved in 15 motor vehicle infractions. The appointing authority submitted a report from the Automated Traffic System which reveals the following motor vehicle infractions listed in his driver’s history: Uninsured Motorist – Insurance Cancelled on April 2, 2020, and March 3, 2020; Speeding on August 8, 2019, March 6, 2016, and October 11, 2015; Improper Display/Fictitious Plates on April 10, 2018, March 6, 2016, and October 11, 2015; Unsafe Operation of a Motor Vehicle on August 19, 2015; and Involved in an Accident – Police Report on February 22, 2018, March 20, 2017, August 20, 2016, June 4, 2016,

¹ By letter dated September 20, 2021, the appointing authority initially removed the appellant on the basis of falsification of the employment application, which the appointing authority explains was issued in error. That letter erroneously indicated the wrong spelling of the appellant’s name. Subsequently, by letter dated October 14, 2021, the appointing authority notified the appellant that he was removed on the basis of an unsatisfactory driving record, which included the correct spelling of the appellant’s name.

and July 5, 2015. The appellant's driving history also indicates that his driver's license was suspended from April 2, 2020, through February 26, 2021.

On appeal to the Civil Service Commission (Commission), the appellant asserts that his name should be restored to the eligible list. The appellant does not provide any additional arguments or documentation in support of his appeal.²

In response, the appointing authority maintains that the appellant's unsatisfactory driving record is unacceptable for an individual applying for a Correctional Police Officer position. As such, the appointing authority states that the appellant was properly removed from the list.

CONCLUSION

N.J.A.C. 4A:4-4.7(a)1, in conjunction with *N.J.A.C.* 4A:4-6.1(a)9, allows the Commission to remove an eligible's name from an eligible list for other sufficient reasons. Removal for other sufficient reasons includes, but is not limited to, a consideration that based on a candidate's background and recognizing the nature of the position at issue, a person should not be eligible for appointment. Additionally, the Commission, in its discretion, has the authority to remove candidates from lists for law enforcement titles based on their driving records since certain motor vehicle infractions reflect a disregard for the law and are incompatible with the duties of a law enforcement officer. *See In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003); *In the Matter of Yolanda Colson*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *Brendan W. Joy v. City of Bayonne Police Department*, Docket No. A-6940-96TE (App. Div. June 19, 1998); *In the Matter of Yolanda Colson, Correction Officer Recruit (S9999A), Department of Corrections*, Docket No. A-5590-00T3 (App. Div. June 6, 2002); *In the Matter of Pedro Rosado v. City of Newark*, Docket No. A-4129-01T1 (App. Div. June 6, 2003).

N.J.A.C. 4A:4-6.3(b), in conjunction with *N.J.A.C.* 4A:4-4.7(d), provides that the appellant has the burden of proof to show by a preponderance of the evidence that an appointing authority's decision to remove his or her name from an eligible list was in error.

In this matter, the appellant's ability to drive a vehicle in a safe manner is not the main issue in determining whether or not he should remain eligible to be a Correctional Police Officer. The record reflects that he was involved in 15 driving related infractions between 2015 and 2021, including five motor vehicle accidents, and the suspension of his driver's license from April 2, 2020 through February 26, 2021. The appellant offers no substantive explanations in this matter regarding his

² It is noted that the appellant argues that he did not falsify the employment application. However, the appointing authority ultimately did not remove him on that basis. As such, it is not necessary to address that argument in this matter.

involvement in the infractions. Moreover, many of these infractions are recent. In this matter, it is clear that the appellant's recent driving record shows a pattern of disregard for the law and questionable judgment on the appellant's part. Such qualities are unacceptable for an individual seeking a position as a Correctional Police Officer.

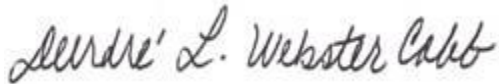
The Commission is ever mindful of the high standards that are placed upon law enforcement candidates and personnel. The public expects Correctional Police Officers to present a personal background that exhibits respect for the law and rules. In this regard, it is recognized that Correctional Police Officers are law enforcement employees who must help keep order in the State prisons, promote adherence to the law, and maintain the safety of the general population. Correction Officers hold highly visible and sensitive positions within the community and the standard for an applicant includes good character and an image of utmost confidence and trust. *See Moorestown v. Armstrong*, 89 N.J. Super. 560 (App. Div. 1965), *cert. denied*, 47 N.J. 80 (1966). *See also In re Phillips*, 117 N.J. 567 (1990). Accordingly, the appointing authority has presented sufficient cause to remove the appellant's name from the eligible list for Correctional Police Officer (S9999A), Department of Corrections.

ORDER

Therefore, it is ordered that this appeal be denied.

This is the final administrative determination in this matter. Any further review should be pursued in a judicial forum.

DECISION RENDERED BY THE
CIVIL SERVICE COMMISSION ON
THE 19TH DAY OF JANUARY, 2022



Deirdré L. Webster Cobb
Chairperson
Civil Service Commission

Inquiries
and
Correspondence

Allison Chris Myers
Director
Division of Appeals and Regulatory Affairs
Civil Service Commission
Written Record Appeals Unit
P.O. Box 312
Trenton, New Jersey 08625-0312

c: Anis Sadaqa
Xaymara Castro
Division of Agency Services
Records Center